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#### FREESCALE SEMICONDUCTOR LAW DEPARTMENT

DATE:	February 17, 2006	
TO:	Examiner Evan T. Pert (ADDRESSEE)	
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FROM:	Pat Thomas for Joanna Chiu	(512) 996-6 <u>839</u>
	(SENDER)	(EXTENSION)
	TOTAL NUMBER OF PAGES $8$ (i	including this page)
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Docket No.:		•
Applicant:	Hei Ming Shiu et al.	
Serial No.: Art Unit:	10/731,831 2826	
Filed:	December 9, 2003	
ALL ITEMS MAI	RKED WITH AN "X" ARE INCLUDED:	
	ge Facsimile Cover Sheet age Petition to Withdraw Holding of Abandonment ur	201 27C F.R. 61 181
3. X 1 pa	age Exhibit A (in duplicate)	B1 370.F.H. 91.101
	age Exhibit 8	
Paid by Deposit	Account 503079, Freescale Semiconductor	r, Inc.: \$0
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ON: 2.17	of tax flin	nas
Date		Signature

FREESCALE SEMICONDUCTOR LAW DEPARTMENT 7700 W. PARMER LANE MD: TX32/PL02 **AUSTIN, TEXAS 78729** Fax Number (512) 996-6854

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#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	
Hei Ming Shiu et al.	Examiner: Evan T. Pert
Application No.: 10/731,831	Group Art Unit: 2826
Filed: December 9, 2003	Docket No.: SC13152HP
Title: LAND GRID ARRAY PACAGED DE FORMING SAME	3VICE AAND METHOD OF

Commissioner for Patents Alexandria, VA 22313-1450

# PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R. §1.181

Dear Sir:

#### **FEES**

Applicants believe no fees are due with this paper. Please charge Deposit Account No. 503079, Freescale Semiconductor, Inc. for any fees required under 37 C.F.R. 1.16 or 1.17, or credit Deposit Account No. 503079 for any refunds.

#### STATEMENT OF RELIEF

Applicants hereby petition the Commissioner under 37 C.F.R. § 1.181 to withdraw the holding of abandonment.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on or facsimile transmitted to same at 57-273-8300:

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Signature

Printed or Typed

Application No. 10/731,831

Docket No. SC13152HP

#### **STATEMENT OF FACTS**

- (1) On September 19, 2005, the United States Patent and Trademark Office (U.S.P.T.O.) mailed a Notice of Allowance and Fee(s) Due for U.S. Patent Application No. 10/731,831, filed on December 9, 2003.
- (2) Applicants faxed to the U.S.P.T.O. the PTOL-85 Issue Fee Transmittal on October 6, 2005, as indicated by the Certificate of Mailing or Transmission on the Issue Fee Transmittal signed by Jeslyn Goh (submitted concurrently herewith as Exhibit A), as also indicated by the Certificate of Facsimile signed by Jeslyn Goh on the Facsimile cover sheet submitted with the Issue Fee Transmittal (submitted concurrently herewith as Exhibit B), and as indicated by the Transmission Result Report (submitted concurrently herewith as Exhibit C).
- (3) On February 6, 2006, the U.S.P.T.O. mailed a Notice of Abandonment for failure to timely respond to the First Office Action.

#### **DISCUSSION**

The Notice of Abandonment indicates that Applicants failed to pay the issue fee and publication fee, if applicable; however, Applicants faxed to the U.S.P.T.O. the PTOL-85 Issue Fee Transmittal for the current Application on October 6, 2005. This is evidenced by Exhibit A, a copy of the Issue Fee Transmittal which includes a Certificate of Mailing or Transmission signed by Jesyln Goh and dated October 6, 2005. This is further evidenced by Exhibit B, the facsimile cover sheet submitted with the Issue Fee Transmittal which references the current Application, lists the 1 page Issue Fee Transmittal, and includes a certificate of facsimile signed by Jesyln Goh and dated October 6, 2005, and by Exhibit C which clearly indicates that both pages (the facsimile cover sheet and Issue Fee Transmittal) were successfully transmitted to the U.S.P.T.O. on October 6, 2005. Therefore, as illustrated by Exhibits A, B, and C, Applicants did timely pay the issue and publication fees.

Applicants therefore respectfully request that the Commissioner withdraw the holding of abandonment since, through no fault of the Applicants, the U.S.P.T.O. failed to receive the faxed Issue Fee Transmittal, as indicated by Exhibits A, B, and C.

Application No. 10/731,831

Docket No. \$C13152HP

#### CONCLUSION

Applicants respectfully seek the relief requested herein. Contact me if there are any issues regarding this petition or the current Application.

Respectfully submitted,

FREESCALE SEMICONDUCTOR, INC.

Customer No. 23125

Joanna G. Chiu

Attorney for Applicants Registration No. 43,629

Telephone No. (512) 996-6839 Facsimile No. (512) 996-6854

09/23/2005 FRI 18:30 FAX 5120966854

Ø006/006 EXHIBIT A

#### PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

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P.O. Box 1450
Alexandria, Virginia 22313-1450

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APPLICATION NO.	FILING DATE	PLEST NAMED INVENTOR .	ATTORNEY POCKET NO.	CONFIRMATION NO.
10/731,831	12/09/2003	Hei Ming Shin	SC13152HP	4401

TITLE OF INVENTION: LAND GRID ARRAY PACKAGED DEVICE AND METHOD OF FORMING SAME

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transmitted to the USFTO (571) X73-2583, on the date indicated below. LAW DEPARTMENT 7700 WEST PARMER LANE MD:TX32/PL02 AUSTIN, TX 78729 6 OCT 2005 APPLICATION NO. FILING DATE CONFUEMATION NO FIRST NAMED INVENTOR ATTORNEY DOCKST NO. 10/731.831 12/09/2003 SC13152FIP 4401 Hei Mine Shin TITLE OF INVENTION: LAND GRID ARRAY PACKAGED DEVICE AND METHOD OF FORMING SAME APPLN, TYPE SMALL ENTITY TOTAL PERSO DLIB DATE OUT प्रदेशक केक PUBLICATION FER Reo's ivoquou NO \$1400 12/19/2005 HXAMINEK ARTINIT CLASS-SUBCLASS PERT, EVANT 438-106000 I. Change of correspondence address or indication of "Fea Address" (37 CFR 1.363). 2. For printing on the percent front page, list CHARLES BERGERE (I) the usines of up to 3 registered patent atternoys or agents OR, alternatively, Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. (2) the name of a single firm (baving as a member a member of a single firm (baving as a member of up to 2 members of up to 2 members of up to 2 members of up to 1 members of agents. If no member is fished, no simp will be printed. Tee Address" indication (or "For Address" Indication form PTO/SB/47; Roy 03-42 or more recent) standard. Use of a Conference Number is required. A ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (point or 1774) PLEASE NOTE: Unless an authors is identified below, no essignee data will appear on the putest. If an assignee is identified below, the document has been tiled for recordsting as act forth in 37 CFR 3.11. Completion of this form is NOT a substitute for living an analysment. (A) NAME OF ASSIGNED (B) RESIDENCE: (CITY and STATE OR COUNTRY)

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Publication Fee (No small entity discount permitted)	☐ Payment by croffs card. Form PTO-2003 Is anached.		
Advance Order - # of Copies	The Director is hereby authorized by charge the required feets), or credit any overpayment, to Deposit Account Number 507879 (enclose an extra copy of this form).		
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EXHIBIT B



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DATE: October 6, 2005

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(ADDRESSEE) (EXTENSION)

USPTO (571) 273-2885 (LOCATION) (FAX NUMBER)

FROM: Jeslyn Goh for Charles Bergere (65) 6513-2609 (SENDER) (EXTENSION)

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Docket No.: SC13152HP Applicant: HEI MING SHIU

Art Unit:

Serial No.: 10/731,831 2826

Filed:

TO:

12/09/2003

438-106000 Class:

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ON: 10/8/2005

Date

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DATE: October 6, 2005 TO: MS: ISSUE FEE (70<u>3) 308-6789</u> (ADDRESSEE) (EXTENSION) USPTO (571) 273-2885 (LOCATION) (FAX NUMBER) FROM: Jesiyn Goh for Charles Bergere (65) 6513-2<u>609</u> (EXTENSION) (SENDER) TOTAL NUMBER OF PAGES 3 (Including this page) IF YOU HAVE ANY TROUBLE OR QUESTIONS WITH TRANSMISSION, OR HAVE RECEIVED IT IN ERROR, PLEASE CALL: (65) 6513-2609 Docket No.: SC13152HP Applicant: HEI MING SHIU Serial No.: 10/731,831 Art Unit: 2826 Filed: 12/09/2003 Class: 438-106000 ALL ITEMS MARKED WITH AN "X" ARE INCLUDED: 1. x 1 page Forsimile Cover Sheef
2. x 1 page PTOL-050 issue Fee Yransmittel (in deplicate)
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